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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,225	10/18/2001	Robert S. Felton	YOR9-2001-0696-US1	7410
29154	7590	07/19/2006	EXAMINER	
FREDERICK W. GIBB, III GIBB INTELLECTUAL PROPERTY LAW FIRM, LLC 2568-A RIVA ROAD SUITE 304 ANNAPOLIS, MD 21401			LIVERSEDGE, JENNIFER L	
			ART UNIT	PAPER NUMBER
			3628	
DATE MAILED: 07/19/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/982,225	Applicant(s) FELTON ET AL.	
	Examiner Jennifer Liversedge	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/18/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/18/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Items 9 and 21 on Figure 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 8-13 involve a computer system, however,

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the body of the claims do not recite any structural elements for the computer system. It is unclear what constitutes the claimed computer system.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 8-9 and 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub No. US 2002/0120561 A1 to Chin et al. (further referred to as Chin).

Regarding claims 1, 8 and 14, Chin discloses a method, computer system and program storage device readable by machine tangibly embodying a program of instructions executable by the machine for executing a method for verifying a value of goods on a supplier invoice (page 3, paragraphs 30-36), said method comprising:

Inputting a first value of imported goods in a data processing system (page 1, paragraph 8; page 5, paragraph 63);

Inputting a second value of imported goods in said data processing system (page 1, paragraph 8; page 3, paragraph 30; page 9, paragraph 117);

Comparing said first value with said second value (page 3, paragraph 35; page 5, paragraph 64; page 10, paragraphs 125 and 129);

Performing a logic step, wherein said logic step comprises one of:

Alerting a user if said first value does not equal said second value (page 5, paragraph 64; page 10, paragraphs 125 and 129); and

Making an automated payment if said first value equals said second value (page 1, paragraph 8; page 10, paragraphs 131-133); and

Repeating said method for subsequent supplier invoices (page 4, paragraph 53; page 5, paragraph 56).

Regarding claims 2 and 15, Chin discloses the method and program storage device wherein said step of inputting a first value of imported goods into a data processing system comprises inputting a value claimed on an import declaration (page 1, paragraph 8; page 5, paragraph 63), and wherein said step of inputting a second value of imported goods into said data processing system comprises inputting a value claimed on a payment invoice (page 1, paragraph 8; page 3, paragraph 30; page 9, paragraph 117).

Regarding claims 3, 9 and 16, Chin discloses the method, computer system and program storage device wherein the step of comparing said first value with said second value occurs for every occurrence of said inputting a first value of imported goods into a data processing system and said step of inputting a second value of imported goods into said data processing system (page 3, paragraphs 28 and 35; page 4, paragraph 53; page 5, paragraph 56; page 6, paragraph 71).

Claims 4, 10 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin, and further in view of "Brazil Cracks Down" by Michael Fabey in the Journal of Commerce, 1998 (further referred to as Fabey).

Chin does not disclose the method, computer system and program storage device wherein the step of comparing said first value with said second value occurs selectively. However, Fabey discloses the method and computer system wherein the step of comparing said first value with said second value occurs selectively (page 2, lines 21-23). It would be obvious to one of ordinary skill in the art to combine the use of selective comparison of values as disclosed by Fabey with the Customs data management account method as disclosed by Chin. The motivation would be that certain accounts may require more comparing of data due to prior violations, or due to being a new account for example, in which a tighter control and more frequent comparison of data entered would be desirable; and other accounts may require less comparisons if the account holders have demonstrated fair data entry and that they operate without trying to cheat the system.

Claims 5-7, 11-13 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chin and Fabey, and further in view of Introduction to Industrial and Systems Engineering by Turner et al., 1993 (further referred to as Turner).

Neither Chin nor Fabey disclose the method, computer system and program storage device further comprising selecting a statistical sample of supplier invoices

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having said first value greater than a predetermined amount; further comprising selecting a statistical random sample from all supplier invoices in said data processing system, and identifying an amount of occurrences of unequal first values compared with second values, attributed to a common supplier; and further comprising selecting all invoices of said common supplier if said amount of occurrences exceeds a predetermined amount, and alerting said user.

However, Turner discloses statistical sampling, the selection of samples from a total given population, and wherein parameters are established for the selection of sample size (page 520-521). The sample sizes as disclosed in the current application, are representative sample size selections per old and well known statistical practice.

It would be obvious to one of ordinary skill in the art to combine the use of statistical analysis as disclosed by Turner with the Custom's tracking data analysis as disclosed by Chin. The motivation would be to correlate data against determined key values of success in order to mitigate risk associated with Custom's shipments.

Identifying and evaluating measures of risk are old and well known means and drivers of determining and implementing a system of sampling for statistical analysis. The motivation for such sampling techniques would be to make efficient use of analysis, capturing and more closely scrutinizing potential issue accounts while not spending valuable resources on accounts which are not exhibiting signs of issues.

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Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached at 571-272-6799. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

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HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600